

**Senate Bill No. 791**

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Passed the Senate September 10, 2011

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*Secretary of the Senate*

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Passed the Assembly September 9, 2011

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add and repeal Section 123222.3 of the Health and Safety Code, relating to mammograms.

## LEGISLATIVE COUNSEL'S DIGEST

SB 791, Simitian. Health care: mammograms.

Existing law requires specified information to be sent to patients regarding their health care. Existing federal law requires a written report of the results of each mammography examination and requires a summary of that report to be sent to the patient within a specified time period.

This bill, from April 1, 2012, until January 1, 2018, would require, under specified circumstances, a health facility at which a mammography examination is performed to include in the summary of the written report sent to the patient a specified notice on breast density.

*The people of the State of California do enact as follows:*

SECTION 1. Section 123222.3 is added to the Health and Safety Code, to read:

123222.3. (a) A health facility at which a mammography examination is performed shall, if a patient is categorized by the facility as having heterogeneously dense breasts or extremely dense breasts, based on the Breast Imaging Reporting and Data System established by the American College of Radiology, include in the summary of the written report that is sent to the patient, as required by federal law, the following notice:

“Because your mammogram demonstrates that you have dense breast tissue, which could hide small abnormalities, you might benefit from supplementary screening tests, depending on your individual risk factors. A report of your mammography results, which contains information about your breast density, has been sent to your physician’s office and you should contact your physician if you have any questions or concerns about this notice.”

(b) This section shall become operative on April 1, 2012.

(c) Nothing in this section shall be construed to create or impose liability on a health care facility for failing to comply with the requirements of this section prior to April 1, 2012.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

Approved \_\_\_\_\_, 2011

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*Governor*